



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q91144

Kazuo SHINMURA, et al.

Appln. No.: 10/555,068

Group Art Unit: Not Yet Assigned

Confirmation No.: 9169

Examiner: Not Yet Assigned

Filed: October 27, 2005

For: CYTOKINE-INDUCING INSTRUMENT AND CYTOKINE-INDUCING METHOD

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003. Also enclosed is a copy of the partial translation.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

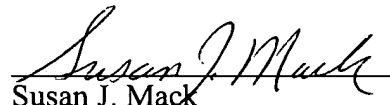
Citations 1-3 are cited on page 1 of the specification where they are discussed in detail.

Citations 4 and 5 are cited in page 2 of the specification where they are discussed in detail.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 16, 2006

Substitute for Form 1449 A & B/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/555,068
				Confirmation Number	9169
				Filing Date	October 27, 2005
				First Named Inventor	Kazuo SHINMURA
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	Q91144

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US			
		US			
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		US			
		US			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
	1	Nobuyuki MIYASAKA, M.D., "Cytokines and their receptors" Clinical Immunology, Vol. 27, Suppl. 16, February 1995	Partial
	2	Shinpei KASAKURA, M.D., Novel Interleukins (IL-19, IL-20, IL21), Clinical Immunology, Vol. 36, 39-44, (2001)	
	3	Shinpei KASAKURA, M.D. "IL-22~IL-27" Clinical Immunology, Vol. 39, 189-200, (2003)	
	4	Makoto YAMADA et al., "Studies on Antitumor Mechanism of Biological Response Modifier (BRM) and Significance of Responder Evaluated by Cytokine Production II. Analysis on Cytokine Production Stimulated by BRMs Using Peripheral Blood", Vol. 43, pp. 166-177, (1995)	Abstract
	5	Akira Hayashi, "A New Trend of Cancer Immunotherapy: BCG-CWS as a bridge between the innate immunity and the acquired", Molecular Medicine, Vol. 36, Extra Issue, pp. 220-229, (1999)	Partial

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.